



Report to Council

Report of: Monitoring Officer

Date: 6 March 2019

Subject: Amendments to the Leader's Scheme of Delegation of Executive Functions

Author of Report: Jason Dietsch – Democratic Services
0114 273 4117

Summary:

This report provides details of amendments made by the Leader of the Council to her Scheme of Delegation of Executive Functions, effective from 8th & 20th February 2019.

Recommendations:

That the Council notes the amendments made to the Leader's Scheme of Delegation of Executive Functions, as set out in the report and appendices.

Background Papers:

Sheffield City Council Constitution – Part 2: Article 7 (The Executive); and Part 4(e) (Executive Procedure Rules)

Category of Report: OPEN

Statutory and Council Policy Checklist

Financial & Commercial implications
NO - Cleared by Anna Sanderson
Legal implications
YES – Cleared by Nadine Wynter
Equality of Opportunity implications
NO - Cleared by Diane Owens
Tackling Health Inequalities implications
N/A
Human rights implications
N/A
Environmental and Sustainability implications
N/A
Economic impact
N/A
Community safety implications
N/A
Human resources implications
N/A
Property implications
N/A
Area(s) affected
None
Relevant Scrutiny Committee if decision called in
N/A
Is the item a matter which is reserved for approval by the City Council?
YES
Press release
NO

1. Introduction

- 1.1 This report provides details of amendments made by the Leader of the Council to her Scheme of Delegation of Executive Functions, effective from 8th and 20th February 2019.

2. Background

- 2.1 Section 7.06 of Article 7 (The Executive) of Part 2 of the Council's Constitution states that the Leader will "maintain a scheme of delegation setting out responsibilities for executive functions as between the Cabinet as a whole, individual Executive Members, Committees of the Cabinet (the membership of which can only include Cabinet Members), Area Committees, Officers and joint arrangements or otherwise as permitted by law". It also states that "the Leader will notify the Monitoring Officer of any changes to the Leader's Scheme. These changes will come into effect on receipt of the notification by the Monitoring Officer (or his/her deputy) or at such later time as the Leader may specify at the time of notification".
- 2.2 Section 1.2 of Part 4(e) (Executive Procedure Rules) of the Constitution states that "Where the Leader amends the Scheme of Delegation of Executive Functions in accordance with Article 7, the Leader will inform the Monitoring Officer and the Monitoring Officer will as soon as practicable present a report to an Ordinary Meeting of the Council setting out the changes made by the Leader".

3. Amendments Made To The Scheme of Delegation of Executive Functions

- 3.1 On 8th February 2019, the Leader of the Council gave notice to the Council's Monitoring Officer of amendments which she had made to Schedules 1, 2, 3, 6 and 9 of her Scheme of Delegation of Executive Functions, and to replace Appendices A to J with a new Appendix A setting out the list of Cabinet Portfolio areas of responsibility. The reasons for the amendments were to reflect the current titles of the Portfolios of the Cabinet Members; to reflect changes to officer job titles and delegations; and to update the delegations to the Director of Legal and Governance in relation to measures to counter anti-social behaviour.
- 3.2 A copy of the Leader's Notice of Amendment is attached to this report (Appendix A), and all Councillors were informed of its content, by email on 14th February.
- 3.3 On 20th February 2019, the Leader gave notice to the Monitoring Officer of amendments which she had made to Schedules 1, 3, 4 and 9, and to Appendix A, of her Scheme of Delegation, to reflect further changes to the Cabinet Portfolios and areas of responsibility, resulting from the Leader's removal of the Transport and Development Portfolio from the Scheme.

- 3.4 A copy of the Leader's Notice of Amendment is attached to this report (Appendix B). Appendix C details how the responsibilities of the former Transport and Development Portfolio have been re-allocated between the Leader's, Business and Investment, and Environment and Transport (new Portfolio title) Portfolios. All Councillors were informed of this content, by email on 26th February.
- 3.5 The Scheme of Delegation, incorporating both sets of amendments, has been published on the Council's website - [Leader's Scheme of Delegation - February 2019](#).

4. **Legal Implications**

- 4.1 The legal implications are set out in Section 2 of this report.

5. **Financial & Commercial Implications**

- 5.1 There are no financial implications.

6. **Equality of Opportunity Implications**

- 6.1 There are no equalities implications.

7. **Recommendations**

- 7.1 That the Council notes the amendments made to the Leader's Scheme of Delegation of Executive Functions, as set out in the report and appendices.

Gillian Duckworth
Director of Legal & Governance, and Monitoring Officer

Sheffield City Council

**Notice of Amendment
of
The Leader's Scheme of Delegation of Executive
Functions**

(Section 9E, Local Government Act 2000)

1. The senior executive member ('the Leader') of Sheffield City Council ('the Council') gives notice that her Scheme of Delegation of Executive Functions dated 13 November 2014 ('the Scheme') (as amended) is hereby further amended as set out in the Schedule of Amendments below, and that from the coming into force of this Notice the Scheme shall be read and construed as varied by the provisions set out below.
2. These amendments to the Scheme are to come into operation immediately upon receipt of this Notice by the Monitoring Officer or the Deputy Monitoring Officer.

Schedule of Amendments

1. In Schedule 1 the titles of the Cabinet Portfolios are amended to the new Cabinet titles for the municipal year 2018/19 (the Portfolios are attached to the Scheme as Appendix A).
2. All references in the scheme to the Director of Finance replaced by either the Director of Finance and Commercial Services or the Head of Strategic Finance.
3. All references to the Director of Legal Services replaced by the Chief Legal Officer.
4. In Schedule 2:-
 - 6.2.2. Reference to the Executive Director, Resources replaced by the Executive Director, Place.
5. In Schedule 3:-
 - 3.7.1. Title of the Cabinet Member for Infrastructure and Transport replaced by the Cabinet Member for Transport and Development.
6. In Schedule 6:-
 - 4.2. The words '(for example premises closure notices, authorisations for the dispersal of groups and the making of anti-social behaviour orders)' and 'the making of an' and 'order' are removed to read:-

‘The Chief Legal Officer is authorised to discharge any Council function relating to measures to counter anti-social behaviour including giving any consents or confirmations on behalf of the Council, provided that, without affecting the generality of paragraph 4.1 above, this authorisation shall not extend to a Council function relating to anti-social behaviour relating to a particular tenancy.’

- 4.3. The addition of the words ‘or required by law’ at the end of the paragraph to read:-

‘For the avoidance of doubt, paragraph 4.2 above does not restrict the ability of any Officer, Councillor or decision-making body to discharge any Council function relating to anti-social behaviour where this is permitted by the other provisions of this Scheme or required by law.’

- 5.3.2. Reference to the Executive Director, Resources replaced by the Executive Director, Place.
 - 6.2. Job title of the Director of Human Resources replaced by the Director of Human Resources and Customer Services.
 - 8.1. Job title of the Director of Policy, Partnership and Research replaced by the Director of Policy, Performance and Communications.
 - 10.1. Job title of the Director of Creative Sheffield replaced by the Director of City Growth and title of Cabinet Member for Business, Skills and Development replaced by the Cabinet Member for Business and Investment.
 - 11.2. Job title of the Director of Creative Sheffield replaced by the Director of City Growth and the job title of the Head of Transport, Traffic and Parking Services replaced by the Head of Strategic Transport and Infrastructure.
 - 11.3. Job title of the Director of Development Services replaced by the Director of Culture and Environment.
7. In Schedule 9 (local choice functions which are the responsibility of the Executive):-

13. Delegation amended from Officers to Individual Cabinet Member.

Reasons for Amendments

To reflect the new Cabinet Portfolio titles and areas of responsibility for 2018/19.

To reflect changes to officer job titles and delegations.

Anti-social behaviour changes.

8. Appendices A to J are deleted and with replaced with a new Appendix A, setting out the list of Cabinet Portfolio areas of responsibility.

Signed:
Cllr Julie Dore, The Leader (Senior Executive Member)

Date: 8 February 2019

Received by the Monitoring Officer / Deputy Monitoring Officer:-

Signed:
Monitoring Officer / Deputy Monitoring Officer

Date: 11 February 2019 Time: 4:35pm

Sheffield City Council

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2. These amendments to the Scheme are to come into operation immediately upon receipt of this Notice by the Monitoring Officer or the Deputy Monitoring Officer.

Schedule of Amendments

In Schedule 1:-

- Cabinet Member for Environment and Streetscene portfolio amended to Cabinet Member for Environment and Transport and Cabinet portfolio for Transport and Development removed.

In Schedule 3:-

- Paragraph 3.7.1 Cabinet portfolio amended from Cabinet Member for Transport and Development to Cabinet Member for Environment and Transport.

In Schedule 4:-

- In paragraph 3 Cabinet Portfolio amended from Cabinet Member for Transport and Development to Cabinet Member for Environment and Transport.

In Appendix A:-

- Cabinet Member for Environment and Streetscene portfolio amended to Cabinet Member for Environment and Transport Cabinet portfolio for Transport and Development removed.
- Amendments to the Leader's, Cabinet Member for Business and Investment and Cabinet Member for Environment and Transport's Portfolio.

Signed:
Cllr Julie Dore, The Leader (Senior Executive Member)

Date: 20 February 2019

Received by the Monitoring Officer / Deputy Monitoring Officer:-

Signed:
Monitoring Officer / Deputy Monitoring Officer

Date: 25 February 2019 Time: 5.55pm

Transport and Development Cabinet Member Portfolio

Re-Allocation of Responsibilities

(From 20 February 2019)

Leader

- Housing Strategy & Delivery
- Affordable Housing Policy

Business & Investment

- Planning

Environment & Transport (new Portfolio title)

- Transport Strategy
- Bus Partnership
- Parking Services
- Cycling
- Road Safety
- Air Quality
- Flood Defence
- Licensing Policy
- Energy